

## Shauneida DePeiza

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**From:** Shauneida DePeiza  
**Sent:** Monday, September 21, 2015 12:01 PM  
**To:** 'Meghan McCaffrey'  
**Cc:** Karlan, Matthew M.; Daniel Koffmann; Vincent Filardo; Elizabeth Rotenberg-Schwartz; Peter D'Agostino; psummit@sandw.com; nkumaraswami@sandw.com; auerbach@mjaesq.com; Tim McCarthy; Mark Lee; Eric Lyttle; Jaime Kaplan; Keith Forst; Mike Bonanno; Mike Lyle; Selina MacLaren; Stephen Hauss; William Burck; Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott  
**Subject:** RE: Rio Tinto v. Vale -- Joint Letter

Below is a list of reports we would like de-designated from "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY". The basis is the same for all of the challenges below: we require the assistance from our clients to prepare for the upcoming examinations of Tara O'Connor (Africa Risk Consulting), John Humphrey (BTG Intelligence), Mark Huband (Livingstone and Company), Nigel Brown and Alec Leighton.

### Africa Risk Consulting:

- "Interim Draft: Project Isiro Profiles" dated 18 May 2009
- "Report: Project Isiro" dated 26 June 2009;
- "Report: Project Isiro, Section II: Corruption Risk Enquiry, Draft Report" dated 1 July 2009
- "Corruption Risk Enquiry, Draft Report" dated 1 July 2009
- "Economic Indicators" dated 6 July 2009
- "Guinea Briefing" and "Chronology" dated 11 August 2009
- "Project Isiro II, Draft Report" dated 12 August 2009
- "Memo Project Isiro" dated 8 September 2009
- "Guinea Briefing" dated 23 October 2009
- "Poisoning stirs Peulh Malinke tensions" dated 1 November 2010
- "Key Findings" dated 7 November 2010

### BTG Intelligence

- Project Raven, dated 19 July 2010
- Project Raven – Part 2, dated 19 July 2010

### Livingstone and Company

- "Guinea – Political Economic and Security Monitor (Report One)" dated 10 February 2010
- "Guinea/Liberia – Beny Steinmetz" dated 7 May 2010
- "Abu Dhabi – Abdul Rahman Al Muhairi" dated 11 May 2010
- "Guinea (Report One - Preliminary)" dated 1 June 2010
- "Guinea (Report One – Final)" dated 11 June 2010
- "Guinea (Report Two)" dated 11 June 2010
- "Guinea (Report Three)," dated 18 June 2010
- "The Political Landscape in Guinea" dated 18 June 2010
- "Guinea (Report Four)" dated 25 June 2010
- "Guinea (Report Four – Supplementary 2)" dated 27 June 2010
- "Guinea (Report Four - Supplementary 3)" dated 28 June 2010
- "Guinea (Report Five)" dated 2 July 2010
- "Guinea (Report Six)" dated 9 July 2010

- "Guinea (Report Seven)" dated 16 July 2010
- "Guinea (Report Eight)" dated 21 July 2010
- "Guinea (Report Nine)" dated 30 July 2010
- "Guinea (Report Ten)," dated 6 August 2010
- "Guinea (Report Eleven)" dated 11 August 2010
- "Guinea (Report Twelve)" dated 13 August 2010

Best Regards,  
Shauneida

Shauneida C. DePeiza Saldenha  
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**From:** Meghan McCaffrey [mailto:[meghanmccaffrey@quinnemanuel.com](mailto:meghanmccaffrey@quinnemanuel.com)]  
**Sent:** Monday, September 21, 2015 10:53 AM  
**To:** Shauneida DePeiza  
**Cc:** Karlan, Matthew M.; Daniel Koffmann; Vincent Filardo; Elizabeth Rotenberg-Schwartz; Peter D'Agostino; psummit@sandw.com; nkumaraswami@sandw.com; auerbach@mjaesq.com; Tim McCarthy; Mark Lee; Eric Lyttle; Jaime Kaplan; Keith Forst; Mike Bonanno; Mike Lyle; Selina MacLaren; Stephen Hauss; William Burck; Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott  
**Subject:** RE: Rio Tinto v. Vale -- Joint Letter

Shauneida,

When BSGR describes which reports it would like de-designated and describes with particularity the basis for each of its challenges, we will then meet and confer in good faith to resolve that challenge.

Best,  
Meghan

**Meghan McCaffrey**  
*Associate,*  
**Quinn Emanuel Urquhart & Sullivan, LLP**

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**From:** Shauneida DePeiza [<mailto:Shauneida.Depeiza@Mishcon.com>]

**Sent:** Monday, September 21, 2015 9:53 AM

**To:** Meghan McCaffrey

**Cc:** Karlan, Matthew M.; Daniel Koffmann; Vincent Filardo; Elizabeth Rotenberg-Schwartz; Peter D'Agostino; [psummit@sandw.com](mailto:psummit@sandw.com); [nkumaraswami@sandw.com](mailto:nkumaraswami@sandw.com); [auerbach@mjaesq.com](mailto:auerbach@mjaesq.com); Tim McCarthy; Mark Lee; Eric Lyttle; Jaime Kaplan; Keith Forst; Mike Bonanno; Mike Lyle; Selina MacLaren; Stephen Hauss; William Burck; Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott

**Subject:** RE: Rio Tinto v. Vale -- Joint Letter

Meghan:

Is Quinn willing to agree to de-designate the copies of the investigative reports that contain redacted names and descriptions of sources?

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**From:** Meghan McCaffrey [<mailto:meghanmccaffrey@quinnemanuel.com>]

**Sent:** Monday, September 21, 2015 9:41 AM

**To:** Shauneida DePeiza

**Cc:** Karlan, Matthew M.; Daniel Koffmann; Vincent Filardo; Elizabeth Rotenberg-Schwartz; Peter D'Agostino; [psummit@sandw.com](mailto:psummit@sandw.com); [nkumaraswami@sandw.com](mailto:nkumaraswami@sandw.com); [auerbach@mjaesq.com](mailto:auerbach@mjaesq.com); Tim McCarthy; Mark Lee; Eric Lyttle; Jaime Kaplan; Keith Forst; Mike Bonanno; Mike Lyle; Selina MacLaren; Stephen Hauss; William Burck; Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott

**Subject:** RE: Rio Tinto v. Vale -- Joint Letter

Shauneida,

As you're no doubt aware (but seem to have forgotten), BSGR agreed to the entry of an ESI Protocol that dictates certain steps for challenging confidentiality designations. In particular, under Section 5 of the ESI Protocol, BSGR is required to provide written notice of each designation it's challenging, describe with particularity the basis for the challenge, and then meet and confer in good faith to resolve that challenge. If and only if the parties are unable to resolve the confidentiality challenge in that process is BSGR then entitled to raise this issue with the Court.

This is the first we've heard of BSGR's intent to challenge the confidentiality designation of the investigative reports. To say your challenge is not ripe for decision is an understatement.

Best,  
Meghan

**Meghan McCaffrey**

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**From:** Shauneida DePeiza [<mailto:Shauneida.Depeiza@Mishcon.com>]

**Sent:** Monday, September 21, 2015 9:23 AM

**To:** Meghan McCaffrey

**Cc:** Karlan, Matthew M.; Daniel Koffmann; Vincent Filardo; Elizabeth Rotenberg-Schwartz; Peter D'Agostino; [psummit@sandw.com](mailto:psummit@sandw.com); [nkumaraswami@sandw.com](mailto:nkumaraswami@sandw.com); [auerbach@mjaesq.com](mailto:auerbach@mjaesq.com); Tim McCarthy; Mark Lee; Eric Lyttle; Jaime Kaplan; Keith Forst; Mike Bonanno; Mike Lyle; Selina MacLaren; Stephen Hauss; William Burck; Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott

**Subject:** RE: Rio Tinto v. Vale -- Joint Letter

Counsel:

BSGR will affirmative raise the issue of de-designation the investigative reports in today's Joint Letter.

Best Regards,  
Shauneida

Shauneida C. DePeiza Saldenha  
Associate

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**From:** Shauneida DePeiza

**Sent:** Sunday, September 20, 2015 7:21 PM

**To:** Meghan McCaffrey

**Cc:** Karlan, Matthew M.; Daniel Koffmann; Vincent Filardo; Elizabeth Rotenberg-Schwartz; Dan Mandell; Peter D'Agostino; [psummit@sandw.com](mailto:psummit@sandw.com); [nkumaraswami@sandw.com](mailto:nkumaraswami@sandw.com); [auerbach@mjaesq.com](mailto:auerbach@mjaesq.com); Tim McCarthy; Mark Lee; Eric Lyttle; Jaime Kaplan; Keith Forst; Mike Bonanno; Mike Lyle; Selina MacLaren; Stephen Hauss; William Burck; Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott

**Subject:** Re: Rio Tinto v. Vale -- Joint Letter

Counsel:

At the last status hearing, Judge Peck stated that issues relating to BSGR's alleged document production deficiencies should be raised before the English court. Nevertheless, BSGR will only be responding to the Joint Letter topics.

Best Regards,  
Shauneida

On Sep 20, 2015, at 6:06 PM, Meghan McCaffrey <[meghanmccaffrey@quinnemanuel.com](mailto:meghanmccaffrey@quinnemanuel.com)> wrote:

Counsel,

Please see Rio Tinto's Joint Letter topics below.

Thanks,

Meghan

**Vale**

1. Vale's Failure to Produce all "Trojan Horse" Documents
2. Vale's Production of Final and Draft Reports from Ernst and Young
3. Vale's Refusal to Produce Due Diligence Documents Through May 30, 2010
4. Vale's Inappropriate Confidentiality Designations

**Thiam**

1. Thiam's Deficient Production

**VBG**

1. VBG's Failure to Produce Documents

**BSGR/Steinmetz**

1. BSGR and Steinmetz's Deficient Document Production

**Meghan McCaffrey**

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**From:** Karlan, Matthew M. [<mailto:mkarlan@cgsh.com>]

**Sent:** Friday, September 18, 2015 6:13 PM

**To:** Daniel Koffmann; '[Vincent.Filardo@Mishcon.com](mailto:Vincent.Filardo@Mishcon.com)'; '[Elizabeth.Rotenberg-Schwartz@Mishcon.com](mailto:Elizabeth.Rotenberg-Schwartz@Mishcon.com)';

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[auerbach@mjaesq.com](mailto:auerbach@mjaesq.com); Tim McCarthy; [Shauneida.Depeiza@Mishcon.com](mailto:Shauneida.Depeiza@Mishcon.com); [mark.lee@mishcon.com](mailto:mark.lee@mishcon.com);

Eric Lyttle; Jaime Kaplan; Keith Forst; Meghan McCaffrey; Mike Bonanno; Mike Lyle; Selina MacLaren;

Stephen Hauss; William Burck

**Cc:** Blackman, Jonathan I.; Liman, Lewis J.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Reents, Scott

**Subject:** Rio Tinto v. Vale -- Joint Letter

Counsel,

Vale will be holding the pen on next Monday's joint letter. We will be prepared to exchange letter topics this Sunday evening at 6pm.

Best,

Matt

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Matthew M. Karlan

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